

## Officer Report

|                 |                                         |
|-----------------|-----------------------------------------|
| Application No. | 23/2017/FH                              |
| Site Address    | 3 The Churchlands, New Romney, TN28 8LE |
| Officer Name    | Lizzy Nash                              |
| Proposal        | Single storey garden annexe             |

## Recommendation

|                      |                                           |
|----------------------|-------------------------------------------|
| Report Number        | RD-434048                                 |
| Recommended Decision | Recommended to be Approve with Conditions |
| Recommendation Date  | 21 March 2024                             |

## Report

### Site

The proposal dwelling is a two-storey linked-semi-detached property with a mono-pitched front porch and a single storey garage and link to its side elevation. The proposal dwelling is set back from the highway with parking for at least one vehicle to the front of the property. To the rear it has been extensively extended via a single storey rear extension and large dormer window to the roof slope. The rear curtilage includes an existing large-detached outbuilding and extends to a depth of 27m from the rear of the dwelling. The site sits within an SSSI Impact Risk Zone, Flood Zone 2 and an Archaeological Notification Area.

### Site History

SH/80/1001 – Extension for kitchen & garage & access – Approved with Conditions

### Proposal

The application seeks permission for the erection of a single storey annexe along the rear boundary of the site. It would have an overall width of 7m, a depth of 6.5m and a maximum height of 3.5m. Materially it would consist of a mono-pitched roof, horizontal cement fibre cladding in anthracite grey, with aluminium windows and doors in anthracite grey. Internally the annexe would provide a kitchenette, living room, shower-room, built in wardrobe and bedroom. The annexe includes a window within the southern side elevation serving the shower room, a window and patio doors within its the front elevation and a skylight within the roof slope of the building.

### Consultation Responses

Consultation responses are available in full on the planning file.

New Romney Town Council – Recommend Approval

Environment Agency – No Comment application covered by standing advice

## Representations

No representations have been received.

## Publicity

Neighbours notified by letter. Expiry 27/02/2024

## Relevant Policies

NPPF and NPPG

Paragraph 131, 127

## Places and Policies Local Plan (PPLP):

HB1

HB8

HB9

T2

## Appraisal

### Principle

Under policy HB9 annexe accommodation is to accommodate people with special housing requirements due to a need for supervision and care, this includes elderly relatives or disabled persons. Detached annexes should be sympathetic and modest in proportion to the main dwelling, ancillary in scale, visually subordinate and have a clear dependency in terms of siting and function with the main dwelling.

The proposed annexe would be located within the rear curtilage of the dwelling and would therefore share the same amenity space and cannot be accessed independently of the main dwelling. The proposal would have a shower room, bedroom, kitchen and living area and access to a small area of curtilage to the rear of the proposal that has been separated from the main curtilage and accessible only through the annexe. The width of the proposal would be equal to that of the rear amenity space, however given that it would be of a single storey and the scale of the existing rear curtilage this is not considered to result in an overly dominant addition to the main dwelling. Furthermore, this addition would not be visible from within the street scene and would have no impact on the surrounding area. In addition to the above within the submitted design and access statement the annexe is needed to support an elderly relative. Considering the above to proposal is consistent with HB9.

### Design and Visual Appearance

The proposed annexe would add significant bulk to the rear curtilage of the site the proposed shallow pitch would appear as a flat roof increasing this addition. However, the proposal when compared to the existing dwelling and the size of the rear curtilage would appear subservient to the dwelling and at an ancillary scale. Furthermore, the use of matching materials would help the proposal to reflect the character and appearance of the main dwelling. The proposal not being visible from within the street scene this results in an addition that is not considered to harm the character or appearance of the dwelling or the surrounding area. Considering the above the proposal would achieve HB1 and HB8.

### Residential Amenity

The proposal would have a height between 1.2 and 1.7m above that of the existing 1.8m boundary fence that surrounds the site. Therefore, the proposal would be visible above the fencing to neighbouring properties. However, given the separation distance of 15.94m to the rear elevation of 4 The Churchlands and 17.74m to the rear elevation of 2 The Churchlands the proposal is not considered to result in a loss of light or outlook for the neighbouring properties.

While a significant addition to the rear boundary due to the proposal being set away from the rear boundary by approximately 5m the separation distance between the proposal and the properties to the rear would be in excess of 19m. In addition to this the proposed roof would pitch away from the rear boundary and with the 1.8m high fencing it is not considered that the increased bulk would give rise to a significantly overbearing structure as to result in harm to the residential amenity of the neighboring occupants.

#### Parking

The main dwelling provides a total of 5 bedrooms the proposed annexe would increase this to 6. Under T2 for a dwelling of this increased size would not result in an increased need for parking spaces and therefore it is considered that the existing parking area to the front of the dwelling would be sufficient.

#### Flood Zone 2

The standard advice for flooding applies to this development, due to it being a minor development that consists of a householder planning application. This exempts the development from requiring a flood risk assessment. As per HB8 it is required that the proposed floor level within the annexe be no lower than that of the existing and a condition to that effect will be placed on the application.

#### Archaeology and SSSI

The site is within both an Archaeological notification area and SSSI impact risk zone, however due to the minor scale of the development mitigation measures are not required.

#### Human Rights

I have also taken into account the human rights issues relevant to this application. In my view, the Assessment section above and the Recommendation represents an appropriate balance between the interests and rights of the applicant (to enjoy his land subject only to reasonable and proportionate controls by a public authority) [and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties)] and the wider public interest.

#### Public Sector Equality Duty

In determining this application, regard has been had to the Public Sector Equality Duty (PSED) as set down in section 149 of the Equality Act 2010, in particular with regard to the need to:

- Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. It is considered that the application proposals would not undermine objectives of the Duty.

It is considered that the application proposals would not conflict with objectives of the Duty.

#### Duty to Cooperate

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), February 2019 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service and, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

In this instance the application was acceptable as submitted.

#### Recommendation

Considering the above, it is the view of this officer that the proposal should be granted planning permission as it is considered a sustainable development that complies with the Places and Policies Local Plan and the NPPF and is recommended for approval subject to conditions.

#### **Recommended Conditions (4)**

1

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which permission is granted.

Reason: In pursuance of section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2

The development hereby permitted shall not be carried out except in complete accordance with the following drawings and documents:

Location Plan (Received: 12/12/2023)

Proposed Block Plan (Received: 12/12/2023)

PL 001 - Proposed Elevations & Floor Plan (Received: 12/12/2023)

Reason: For the avoidance of doubt and in order to ensure the satisfactory implementation of the development in accordance with the aims of Places and Policies Local Plan.

3

The development shall be carried out in accordance with the details of materials as specified in the application, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of visual amenity

4

The finished floor levels of the ground floor in the detached annexe hereby permitted shall be no lower than those in the ground floor of the main dwelling.

Reason: To ensure the development is safe from flooding